

Appl. No. 10/591,879
Arndt. Dated November 1, 2007
Reply to Office Action of August 30, 2007

DRAWING AMENDMENTS

The attached sheet of drawings includes changes to Fig. 3A, Fig. 3B, Fig. 4A, and Fig. 4B. This sheet, which includes Figs. 3A, 3B, 4A, 4B, and 5, replaces the original sheet including Figs. 3A, 3B, 4A, 4B, and 5. In Fig. 4A, the label "Prior Art" has been added. The labels Fig. 3A, Fig. 3B, Fig. 4A, and Fig. 4B are now shown in the manner required by the regulations.

Please approve the drawing changes that are marked in red on the accompanying "Annotated Sheet Showing Changes" of Fig. 4a. A formal "Replacement Sheet" of amended Fig. 4a is also enclosed.

Attachments: Replacement Sheet

 Annotated Sheet Showing Changes

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REMARKS

Reconsideration of the application is requested.

Claims 12-15 and 18-24 are now in the application. Claims 12-15 and 18-24 are subject to examination. Claims 12, 14, and 18 have been amended. Claims 22-24 have been added. Claims 16 and 17 have been canceled to facilitate prosecution of the instant application.

Under the heading "Drawings" on page 2 of the above-identified Office Action, the Examiner objected to the drawings.

The Examiner required the actuator defined in claim 1 to be shown or cancelled from the claims. The term "actuator" has been replaced by the term "moveable element". Support for the change can be found by referring to the translated specification at page 5, lines 14-26. The moveable element 7 is shown in Fig. 1.

The Examiner required Fig. 4A to be designated as "Prior Art" and that change has been made.

Additionally, the labels Fig. 3A, Fig. 3B, Fig. 4A, and Fig. 4B are now shown in the manner required by the regulations

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Under the heading "Informalities or Claims Objection" on page 3 of the above-identified Office Action, the Examiner objected to the claims because of two (2) informalities.

The Examiner referred to the plurality of electric properties in claim 12 and to the changeable electric property in claim 14.

Claim 12 has been amended to refer to an electrical property, and claim 14 has been amended to refer to the electrical property. Support for the changes can be found by referring to the translated specification at page 4, lines 19-21, for example.

Under the heading "Claim Rejections – 35 USC § 112" on page 3 of the above-identified Office Action, claim 17 has been rejected as being indefinite under 35 U.S.C. § 112, first paragraph.

Claim 17 has been cancelled.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, paragraph.

The changes to the claims are neither provided for overcoming the prior art nor do they narrow the scope of the claim for any reason related to the statutory requirements for a patent.

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Under the heading "Claim Rejections – 35 USC § 102" on page 4 of the above-identified Office Action, claims 12-15 and 17 have been rejected as being fully anticipated by Tombler et al. (Reversible Electromechanical Characteristics Of Carbon Nanotubes Under Local-Probe Manipulation) under 35 U.S.C. § 102.

Applicants appreciatively acknowledge the Examiner's statement that claims 16 and 18-21 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

Claim 12 has been rewritten to include the limitations of claim 16.

Claim 18 has been rewritten in independent form including all of the limitations of claim 12.

Claims 22 – 24 have been added. Support for the added claims can be found by referring to previously presented claims 13-15.

In view of the foregoing, reconsideration and allowance of claims 12-15 and 18-24 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

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Please charge other fees that might be due with respect to Sections 1.16 and 1.17 to
the Deposit Account of Lerner Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,



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MPW/bb

November 1, 2007

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Amendment dated November 1, 2007

Annotated Sheet

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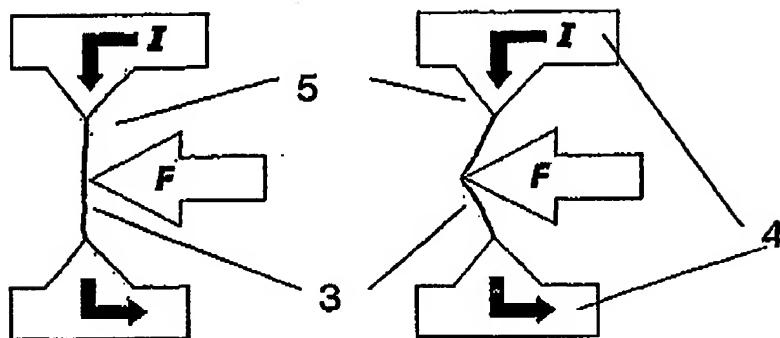
 $F_1 \subset 3A$ 

FIG. 3

(a)

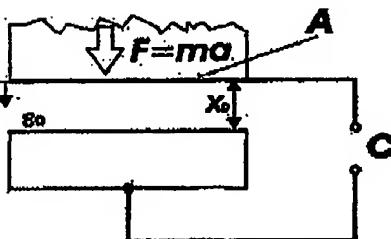
 $F_1 \subset 3B$ PRIOR PRIOR
ART ART Δx 

FIG. 4A

(a)

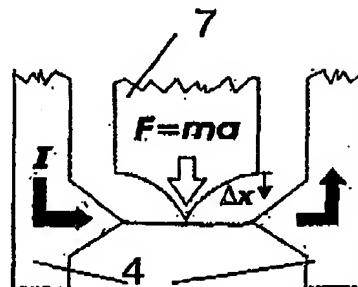


FIG. 4B

(b)

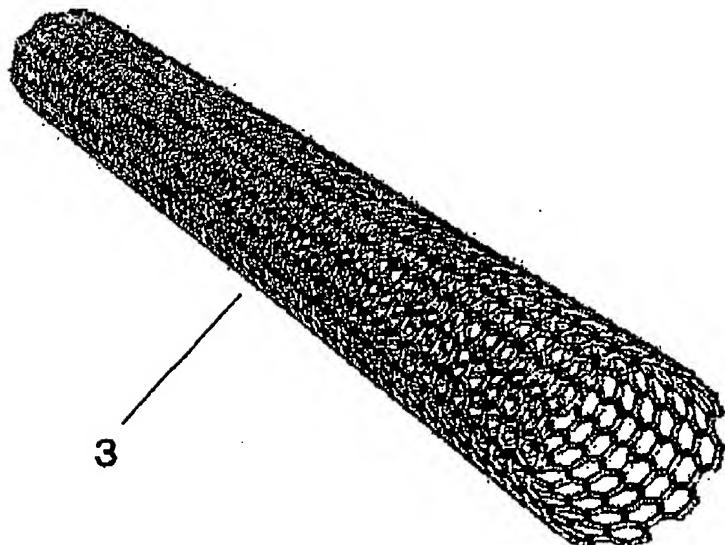


FIG. 5